

Authorizing The Conveyance Of County-Owned Property To The Original Owner – Department Of Finance

Referred to: The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Belfiglio, Briggs, Gregorius, Maio, Maloney, and Richard Parete)

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chairman Donald Gregorius offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Finance; and

WHEREAS, the Commissioner of Finance has requested permission to accept payment of the full amount of back taxes on a certain parcel of real property acquired by the County by reason of non-payment of taxes; and

WHEREAS, Ulster County acquired title pursuant to a Judgment duly made on the 24th day of March, 2015 and entered in the Office of the Clerk of the County on the 27th day of March, 2015 by reason of non-payment of real property taxes; and

WHEREAS, a deed was recorded into the County of Ulster on March 27, 2015 pursuant to said Judgment; and

WHEREAS, tax map number 99.2-3-19 in the Town of Shawangunk assessed to Julie A. Everhart was included in this judgment and deed; and

WHEREAS, it has been revealed that the putative conveyances by Domenick DeSalvo, a/k/a Domenick J. DeSalvo and Julie A. Everhardt are fraudulent, null and void in all respects; and

WHEREAS, the Supreme Court, State of New York, County of Ulster, has decreed the Estate of Dominic DeSalvo, late of the Town of Shawangunk, to have been the true owner of record of the subject real property, up to and until the acquisitions of the title by the County of Ulster; and

WHEREAS, said parcel was offered at Public Auction on April 21, 2015 and the bid was rejected by the Ulster County Legislature on June 16, 2015 by Resolution No. 269; and

WHEREAS, the Ulster County Supreme Court has authorized the County of Ulster to convey its right, title and interest as it has acquired by reason of the in rem proceeding of the subject property from the County of Ulster to the Estate of Dominic DeSalvo, conditioned upon the said County of Ulster having received full reimbursement from the Estate of Dominic DeSalvo for all unpaid taxes, accrued interest and penalties and recording fees; and

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WHEREAS, based upon the examination of the Ulster County Legislature, and pursuant to the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List that was adopted by the County in Resolution No. 118 on April 20, 2012, and as per Section 4.1.5 of that list, it has been determined that the following transaction does not pose a significant environmental impact and may and constitutes a Type II action in accordance with 6NYCRR, Part 617, of SEQRA, and does not require any determination or procedure under SEQRA; now, therefore be it

RESOLVED, that the Ulster County Commissioner of Finance is authorized to accept payment as above set forth with respect to the following parcel:

TOWN	PARCEL #	DEED TO	AMOUNT
Shawangunk SBL#: 99.2-3-19 2015 Public Auction	172	Estate of Dominic DeSalvo C/O John Sisti, Esq. 207 Main Street New Paltz, NY 12561	\$34,575.81

and, be it further

RESOLVED, that upon receipt of such payment with respect to each parcel, the Chairman of the Ulster County Legislature is hereby authorized to make, execute and deliver to the owner making payment, a quitclaim deed conveying the interest of the County in the parcel, which quitclaim deed shall contain the covenant that the County of Ulster shall in no event be or become liable for any defects in title conveyed for any cause whatsoever, or that no claim or demand of any nature shall ever be made against the County of Ulster arising from such sales, conveyances, or any proceedings leading thereto,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Legislator Briggs left at 7:46 PM)

Passed Committee: Ways and Means on September 9, 2015

FINANCAL IMPACT:
TOTAL UNPAID TAXES: \$34,575.81

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 15th Day of September in the year Two Thousand and Fifteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17th Day of September in the year Two Thousand and Fifteen.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
17th Day of September, 2015.

Approved by the County Executive this
24th Day of September, 2015.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Michael P. Hein
Michael P. Hein, County Executive